

1 MARK D. FOWLER (Bar No. 124235)
2 mark.fowler@dlapiper.com
3 CLAYTON THOMPSON (Admitted Pro Hac Vice)
4 clayton.thompson@dlapiper.com
5 DAVID ALBERTI (Bar. No. 220625)
6 david.alberti@dlapiper.com
7 CHRISTINE K. CORBETT (Bar No. 209128)
8 christine.corbett@dlapiper.com
9 YAKOV M. ZOLOTOREV (Bar No. 224260)
10 yakov.zolotorev@dlapiper.com
11 CARRIE L. WILLIAMSON (Bar No. 230873)
12 carrie.williamson@dlapiper.com

DLA PIPER US LLP
2000 University Avenue
East Palo Alto, CA 94303-2215
Tel: 650.833.2000
Fax: 650.833.2001

Attorneys for Defendant and Counterclaimant
Sun Microsystems, Inc.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

16 NETWORK APPLIANCE, INC.,
17 Plaintiff - Counterclaim
18 Defendant,
19 v.
20 SUN MICROSYSTEMS, INC.,
21 Defendant -
Counterclaimant.

CASE NO. 3:07-CV-06053 EDL

**[PROPOSED] ORDER GRANTING SUN
MICROSYSTEMS, INC.'S RENEWED
MOTION FOR PARTIAL STAY OF THE
CASE PENDING REEXAMINATION OF
UNITED STATES PATENT NO. 6,892,211**

**Date: TBD
Time: TBD
Courtroom: E, 15th Floor
Hon. Elizabeth D. Laporte**

22 Having considered the papers submitted and arguments presented in support of and in
23 opposition to Sun Microsystems, Inc. ("Sun") Renewed Motion For Partial Stay Of The Case
24 Pending Reexamination Of United States Patent No. 6,892,211 ("Motion to Stay"), IT IS
25 HEREBY ORDERED that Sun's Motion to Stay is GRANTED. This case shall be stayed with
26 respect to United States Patent No. 6,892,211 until the United States Patent and Trademark Office
27 either issues its final office action or issues a reexamination certificate. At that time, the Court
28

1 and the parties shall determine whether a further stay is warranted.

2 IT IS SO ORDERED.

3
4 Dated: September __, 2008.

5 UNITED STATES MAGISTRATE JUDGE
6 ELIZABETH D. LAPORTE
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28